

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

U.S. DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
JUL 26 2005

ORIGINAL

DTF
CLM

United States of America,
Petitioner,

PM
TIME AM

-vs-

ORDER

Julius Nasso,

CR-02-606(FB)

Respondent.

On May 10, 2005 counsel for the defendant filed a motion requesting that the Court permit the defendant to serve the last 30 days of his sentence, from June 33, 2005 to July 3, 2005 at a halfway house or in home detention. The government opposes this request. The Court lacks jurisdiction over the Bureau of Prisons as to where a defendant is designated or place during their period of incarceration. The Court can only make recommendations. Accordingly it is

HEREBY ORDERED that defendant's request is DENIED. The Court is not inclined to make any recommendation to the Bureau of Prisons as to where this defendant shall serve his remaining period of incarceration.

The clerk is directed to mail copies of this notice to all parties.

DATED: Brooklyn, New York
May 23, 2005

U.S.D.J.

cc.: Robert Hantman, Esq.
AUSA Katya Jestin